

**INSTRUCTIONS FOR COMPLETING AN ABSENT APPLICANT AFFIDAVIT FOR A PERSON  
CONFINED IN THE INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ)**

**PLEASE READ CAREFULLY**

The **ABSENT APPLICANT AFFIDAVIT** is to be used to apply for a Marriage License when one party is unable to appear in the County Clerk Office due to incarceration at the Texas Department of Criminal Justice, Institutional Division. Please read the following instructions carefully before completing the Affidavit. Print or type all information that is requested on the attached Affidavit. The absent party must return the completed Affidavit to the party he/she wishes to marry. **Both parties desiring to marry must be in full compliance with the information that follows or the application will be denied.** At least one party desiring to marry must appear before the County Clerk:

- (1) The County Clerk may not issue a marriage license for which both applicants are absent unless the person applying on behalf of each absent applicant/s provides to the Clerk an Affidavit of the applicant/s declaring that the applicant/s is/are:
  - (a) On active duty as a member of the armed forces of the United States, or the state military forces, or:
  - (b) Confined in a correctional facility, as defined by Sec. 1.07, Penal Code
- (2) The party who will not be able to appear in the County Clerk Office must complete and sign the attached form in the presence of a Notary. A title and/or name must be printed or typed below this signature. All blanks on the form must be completed.
- (3) The names of both parties must be printed or typed exactly as they appear on the identification that will be used to obtain the Marriage License. Acceptable forms of identification are: valid driver license in the U.S., original or certified copy of a birth certificate plus a photo I.D., U.S. Military I.D., valid I.D. issued by the Department of Public Safety in the U.S., valid passport, any valid I.D. issued by the State of Texas, naturalization papers. The authorized person taking the acknowledgment must see to it that **ALL** the information requested on the form from lines #1 through #15, are filled out and completed except the signature of the absent applicant.
- (4) Applicant must then appear in any County Clerk Office in the State of Texas at least 72 hours, but not more than 30 days prior to the ceremony. The applicant must present an acceptable form of identification for **both parties** that states the correct name and date of birth of each applicant as required in #1 and #3, on the Affidavit.
- (5) Both applicants must be present for the marriage ceremony. A PROXY cannot be appointed.

**UNDER NO CIRCUMSTANCE WILL THE COUNTY CLERK ACCEPT AN ALTERED DOCUMENT AS PROOF OF  
IDENTITY. APPLICANT MUST SUBMIT TO THE COUNTY CLERK THE ORIGINAL OR CERTIFIED COPY OF  
THE DOCUMENT**

- (6) Marriage must take place after the 72-hour waiting period.
- (7) If either party has been divorced within the last 30 days, please contact the County Clerk Office for more information.
- (8) If either party is under 18 years of age, please contact the County Clerk Office for more information.

**AFFIDAVIT EXPIRE 30 DAYS FROM DATE OF NOTARY ACKNOWLEDGMENT**

**Office Hours: 8:00 A.M. to 5:00 P.M. Monday through Friday except weekends and holidays, Phone 409/766-2200**

**PLEASE ALLOW AT LEAST 30 MINUTES TO ISSUE LICENSE**

**ABSENT APPLICANT AFFIDAVIT FOR A PERSON INCARCERATED IN THE  
INSTITUTIONAL DIVISION OF THE TEXAS DEPARTMENT OF CRIMINAL JUSTICE**

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, ID-TDCJ No. \_\_\_\_\_, of the

\_\_\_\_\_ Unit in \_\_\_\_\_ County, Texas,  
on my oath say and declare that I am eighteen (18) years of age or older and not incapacitated in any way that the statements herein set forth, including answers to  
questions propounded, constitute a true, correct and complete statement and declaration.

1. FULL NAME (Including Maiden Name) \_\_\_\_\_

2. ADDRESS: \_\_\_\_\_  
Address City State Zip

3. DATE OF BIRTH: \_\_\_\_\_ 4. PLACE OF BIRTH: \_\_\_\_\_

5. CITIZENSHIP: \_\_\_\_\_ 6. SOCIAL SECURITY NO: \_\_\_\_\_

7. I have NOT been divorced within the last 30 days: TRUE ☐ FALSE ☐

If FALSE, Date of Divorce or Annulment: \_\_\_\_\_  
Month Day Year

8. I am not presently married and the other applicant is not presently married: TRUE ☐ FALSE ☐

9. I am not presently delinquent in the payment of court ordered child support: TRUE ☐ FALSE ☐

10. The other applicant is not related to me as an ancestor or descendant, by blood or adoption; a brother or sister, of the whole or half blood or  
by adoption; a parent's brother or sister of the whole or half blood or by adoption; a son or daughter of a brother or sister of the whole or  
half blood or by adoption; a current or former stepchild or stepparent; or a son or daughter of a parent's brother or sister of the whole or  
half blood or by adoption. TRUE ☐ FALSE ☐

11. I DO desire to marry: TRUE ☐ FALSE ☐

12. The party I desire to marry is \_\_\_\_\_ whose age is \_\_\_\_\_

13. Address: \_\_\_\_\_  
Address City State Zip

14. Approximate date of Marriage: \_\_\_\_\_  
Month Day Year

15. I am unable to appear in person before the County Clerk because I am incarcerated at the \_\_\_\_\_  
Unit of the Institutional Division of the Texas Department of Criminal Justice

*I solemnly swear (or affirm) the information I have given in this declaration is correct.*

Executed \_\_\_\_\_, 20 \_\_\_\_\_  
Signature of Applicant

STATE OF \_\_\_\_\_

COUNTY OF \_\_\_\_\_

SUBSCRIBE AND SWORN TO me by the said \_\_\_\_\_

this the \_\_\_\_\_ day of \_\_\_\_\_, A.D., 20 \_\_\_\_\_.



Notary Public in and for the State of \_\_\_\_\_

Signature of Notary: \_\_\_\_\_

Printed Name: \_\_\_\_\_

My Commission Expires: \_\_\_\_\_

**IF THIS FORM IS NOT FILLED OUT COMPLETELY AND CORRECTLY, IT WILL BE TURNED AWAY AT THE COUNTY CLERK OFFICE**